

MESSAGE NO: 6361216 MESSAGE DATE: 12/27/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-337-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2005 TO 06/30/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW OF
ANTIDUMPING DUTY ORDER OF INDIVIDUALLY QUICK FROZEN RED RASPBERRIES FROM
CHILE (A-337-806)

MESSAGE NO: 6361216

DATE: 12 27 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 337 - 806

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PERIOD COVERED: 07 01 2005 TO 06 30 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE
REVIEW OF ANTIDUMPING DUTY ORDER OF INDIVIDUALLY QUICK
FROZEN RED RASPBERRIES FROM CHILE (A-337-806)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
INDIVIDUALLY QUICK FROZEN RED RASPBERRIES FROM CHILE (A-337-
806), COVERING THE PERIOD 07/01/2005 THROUGH 06/30/2006 HAS BEEN
RESCINDED, IN PART, AT THE REQUEST OF THE PACIFIC NORTHWEST
BERRY ASSOCIATION AND ITS INDIVIDUAL MEMBERS, CURT MABERRY FARM;
INFIELD FARMS, INC.; MABERRY PACKING; AND RADER FARMS, INC. YOU
ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR
WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

INDIVIDUALLY QUICK FROZEN RED RASPBERRIES

CHILE

A-337-806

PERIOD: 07/01/2005 - 06/30/2006

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: CUSTOMS ID

ALIMENTOS NATURALES VITAFOODS S.A. A-337-806-058

ARVALAN S.A. A-337-806-020

FRUTICOLA OLMUE S.A. A-337-806-003

SANTIAGO COMERCIO EXTERIOR S.A. A-337-806-047

SOCIEDAD AGROINDUSTRIAL VALLE FRIO LTDA. A-337-806-061

VALLES ANDINOS S.A. A-337-806-054

VITAL BERRY MARKETING S.A. A-337-806-055

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE PARTIAL RESCISSION OF THE ADMINISTRATIVE REVIEW (71 FR 74487) ON 12/12/2006. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:YB).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party